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REMARKS

Claims 1 (amended) 2-7, 9-15, 16 (amended), 27, 28, 31 (amended), 32, 37 (amended) 38 and 41-50 (New) are pending. Claims 8, 17-26, 29, 30, 33-36 and 39-40 are cancelled. Applicants respectfully request reconsideration of this application.

New Claims

Claims 1, 16, 31 and 37 were amended to recite that the first polymeric binder is free of acidic moieties. This amendment is supported by par. [0031]-[0034] of the specification which report a wide range of polymers which are free of acidic moieties.

New claims 41, 42, and 46-49 cite various concentration ranges for the second polymeric material. These claims are supported by, for example, par. [0038] of the specification. Claims 42-45 and 50 recite monomers from which the first polymeric material is derived. Support for these claims may be found in par. [0031]-[0033] of the specification.

Claim rejections under 35 U.S.C. § 103

All pending claims were rejected under § 103 as being obvious over U.S. Patent No. 6,309,792 to Hauck et al. in view of EP 1 106 281 in view of Sawada et al. The Office Action stated that Hauck teaches the claimed composition with the exception of polyethers. However, the Office Action noted that Sawada reports the use of polyethers to enhance the strength of photohardenable layers, and that it would have been obvious to modify the composition reported in Hauck by including polyethers based on Sawada.

Independent claims 1, 16, 31 and 37 recite radiation-sensitive compositions including a first polymeric binder which is free of acidic moieties. Contrary to the Office Action, the polymeric binder reported in Hauck does not appear to include polymeric binders that are free of acid moieties. Instead, Hauck reports generally the use of acrylic acid and methacrylic acid polymers having an acid number of greater than 70 mg KOH/g, more preferably greater than 110 mg KOH/g, even more preferably between 140 and 160 mg KOH/g.

This distinction is exemplified in Comparative Example 1 of the present application, in which a printing plate was formed according to the claimed invention except that acrylic

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acid and methacrylic acid copolymers were substituted for the claimed first polymeric binder. After imaging and developing the printing plate, no coating remained on the substrate. This Example indicates that the claimed first polymeric binder is distinguishable from the polymeric binders reported in Hauck. Therefore, contrary to the Office Action, the claimed invention is not rendered obvious even if Hauck and Sawada are combined. Applicants respectfully request the withdrawal of this rejection.

Furthermore, there would be no motivation to further modify Hauck by using the claimed first polymeric binder because Hauck specifically reports that methacrylic and acrylic polymers are preferred (col. 4, lines 30-45). Thus Hauck teaches away from the use of polymers other than acrylic acid and methacrylic acid polymers.

New claims 42, 47 and 49 recite that the IR-composition (claim 42) or negative working layer (claims 47 and 49) includes from 10 to 20 weight percent of the second polymeric binder. In addition to the reasons iterated above, these claims are allowable because Sawada reports the inclusion of 30-85 weight percent polyether to improve layer strength. Therefore, the combination of Hauck and Sawada does not report the second polymeric binder concentration recited in these claims. Applicants respectfully request allowance of these claims.

New claim 50 recites a radiation-sensitive composition in which the first polymeric binder includes at least one acrylate, methacrylate, acrylamide or methacrylamide. As previously noted, Hauck reports the use of acrylic acid and methacrylic acid polymers, as opposed to the recited binder materials. Applicants respectfully request allowance of this claim.

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CONCLUSION

All of the pending claims remaining are in condition for allowance. Applicants respectfully request a notice to that effect. If there are any remaining questions, the Examiner is requested to contact the undersigned at the number listed below.

Respectfully Submitted,

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